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7 *Capitol Specialty Insurance Corporation*

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 CAPITOL SPECIALTY INSURANCE  
11 CORPORATION, a Wisconsin corporation,  
12 as assignee of UNITED CONSTRUCTION  
COMPANY,

13 Plaintiff,

14 v.

15 STEADFAST INSURANCE COMPANY, a  
16 Delaware corporation; RHP MECHANICAL  
17 SYSTEMS, a Nevada corporation; and AXIS  
18 SURPLUS INSURANCE COMPANY, an  
Illinois corporation,

19 Defendants.

20 AND RELATED CROSSCLAIM

Case No.: 2:20-cv-1382-JCM-VCF

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR LIMITED EXTENSION OF  
SCHEDULING ORDER DATES**

**(Sixth Request)**

21 Plaintiff/Counter-Defendant Capitol Specialty Insurance Corporation as assignee of United  
22 Construction Company (“CapSpecialty”), Defendant Steadfast Insurance Company (“Steadfast”),  
23 Defendant RHP Mechanical Systems (“RHP”), and Defendant AXIS Surplus Insurance Company  
24 (“AXIS”) by and through their respective counsel of record, hereby stipulate to extend certain  
25 deadlines within the Amended Scheduling Order entered by this Court on August 1, 2022 (ECF  
26 No. 112) by thirty (30) days pursuant to LR 26-4 for the limited purpose of resolving pending  
27 discovery disputes between CapSpecialty and Steadfast.

28 CapSpecialty served its First Set of Requests for Admissions, Second Set of

1 Interrogatories, and Second Set of Requests for Production of Documents (“RFPs”) on Steadfast  
 2 on June 29, 2022. CapSpecialty also served its Third Set of Interrogatories and Third Set of RFPs  
 3 on Steadfast on July 13, 2022. Steadfast responded and objected to these discovery requests on  
 4 August 12, 2022. On September 1, 2022, CapSpecialty forwarded a meet and confer letter to  
 5 Steadfast outlining the reasons CapSpecialty believed that Steadfast’s objections and responses to  
 6 the written discovery requests were insufficient. Steadfast responded to CapSpecialty’s meet and  
 7 confer letter on September 26, 2022. Since then, the parties have been meeting and conferring and  
 8 Steadfast has agreed to supplement its responses by Friday, October 21, 2022.

9 Additionally, CapSpecialty served its Fourth Set of Interrogatories and RFPs on Steadfast  
 10 on September 15, 2022. Steadfast has requested an extension to October 21, 2022 to respond to  
 11 these requests.

12 Steadfast and CapSpecialty seek a thirty-day extension of the discovery cut-off date to  
 13 resolve the current discovery dispute between the parties and any disputes that may arise out of  
 14 Steadfast’s responses to CapSpecialty’s Fourth Set of RFPs and Interrogatories.

15 Furthermore, CapSpecialty’s Interrogatories ask Steadfast to identify witnesses who may  
 16 have information supporting CapSpecialty’s claims. The limited extension of the discovery cut-off  
 17 date is also necessary to the extent that CapSpecialty seeks to notice and/or subpoena such  
 18 witnesses (who have not yet been disclosed by Steadfast) for deposition.

19 The parties agree that the extension of the discovery date is for the limited purpose of  
 20 resolving the discovery disputes between Steadfast and CapSpecialty and to allow CapSpecialty to  
 21 notice and/or subpoena witnesses that CapSpecialty has asked Steadfast to identify in response to  
 22 pending discovery requests. Steadfast reserves all rights and objections with regard to any  
 23 depositions noticed or subpoenaed by CapSpecialty.

24 The Parties therefore STIPULATE and AGREE to the following amended scheduling  
 25 order dates:

26 Close of Discovery for Disputed Discovery Issues: December 5, 2022

27 Close of Discovery for All Other Issues: November 4, 2022

28 Filing of Dispositive Motions: January 5, 2023

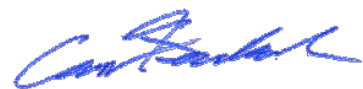
The deadline to file a proposed Pretrial Order is extended to February 5, 2023, or in the event one or more dispositive motions are filed, thirty (30) days after the Court rules on the last motion.

**Extension or Modification of the Discovery Plan and Scheduling Order.**

Applications to extend any date set by the discovery plan/scheduling order shall be received by the Court twenty-one (21) days before the date fixed for completion of discovery, or within twenty-one (21) days before the expiration of any extension thereof that may have been approved by the Court.

<p>Dated: October 14, 2022</p> <p>PAYNE &amp; FEARS LLP</p> <p>By: <u>/s/ Sarah J. Odia</u></p> <p>Scott S. Thomas, Esq. Sarah J. Odia, Esq. 6385 S. Rainbow Blvd., Ste. 220 Las Vegas, NV 89118 Telephone: (702) 851-0300</p> <p>Attorneys for Plaintiff/Counter Defendant Capitol Specialty Insurance Corporation</p>	<p>Dated: October 14, 2022</p> <p>MORALES FIERRO &amp; REEVES</p> <p>By: <u>/s/ William Reeves</u></p> <p>Ramiro Morales, Esq. William Reeves, Esq. 2151 Salvio Street, Ste. 280 Concord, CA 94520 Telephone: (925) 288-1776</p> <p>Attorneys for Defendant Steadfast Insurance Company</p>
<p>Dated: October 14, 2022</p> <p>TYSON &amp; MENDES</p> <p>By: <u>/s/ Jessica A. West (with permission)</u></p> <p>Thomas E. McGrath, Esq. Jessica A. West, Esq. 2835 St. Rose Pkwy., Ste. 140 Henderson, NV 89052 Telephone: (702) 724-2648</p> <p>Attorneys for Defendant RHP Mechanical Systems</p>	<p>Dated: October 14, 2022</p> <p>COZEN O'CONNOR</p> <p>By: <u>/s/ Michael Melendez (with permission)</u></p> <p>Michael Melendez, Esq. Teri Mae Rutledge, Esq. 3753 Howard Hughes Pkwy, Ste. 200 Las Vegas, NV 89169 Telephone: (702) 470-2330</p> <p>Attorneys for Defendant AXIS Surplus</p>

IT IS SO ORDERED.



Cam Ferenbach  
United States Magistrate Judge

DATED 10-17-2022